



#5 Response
9/4/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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In re Application of:

RICHARD ALLEN HAYES

CASE NO: PT 0043 US NA

SERIAL NO: 09/927,731

GROUP ART UNIT: 1711

FILED: AUGUST 10, 2001

EXAMINER: S. ACQUAH

FOR: SULFONATED ALIPHATIC-
AROMATIC COPLOYESTERS

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RESPONSE TO OFFICE ACTION OF APRIL 23, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following remarks are in response to the Office Action mailed on April 23, 2002. A Petition for an Extension of Time under 37 CFR 1.136(a) and the requisite fee for a one-month extension accompany this response.

REMARKS

Status of the Application

In the Office Action, the Examiner rejected claims 1-4 and 7-12, and objected to claims 5 and 6, so that claims 1-12 are pending. No new matter is added.

Objection to Claim 5 and 6

Claims 5 and 6 were objected to for depending from rejected base claim 1. In view of the comments contained herein below, however Applicants submit that claim 1 is in condition for allowance, thereby obviating the Examiner's objection to claims 5-7. Withdrawal of this objection is requested.

Rejections Under 35 U.S.C § 10.

Claims 1-4 and 7-12 stand rejected under 35 U.S.C. § 103(a) as anticipated by Schade (U.S. Patent No. 4,104,262). This rejection is respectfully traversed.

The Examiner asserts on page 2 that Schade at column 1 and 3, and in Examples 3 and 4 in column 7 "discloses a copolyester resin in position comprising DMT, DMI, SSIPA, EG, and other aliphatic glycols in the claim amounts." The Examiner further asserts that "the prior art disclosures have features and characteristics as claimed." Applicants, however, respectfully disagree.

U.S. PATENT & TRADEMARK OFFICE
AUG 28 2002

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known	
Application Number	09/927,731
Filing Date	August 10, 2001
First Named Inventor	Richard Allen Hayes
Examiner Name	S. Acquah
Group / Art Unit	1711
Attorney Docket No.	PT 0043 US NA

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1928

Deposit Account Name: E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES

Total Claims: -20 = 0 X 18 = 0

Independent Claims: -3 = 0 X 84 = 0

Multiple Dependent: ☐ X 280 = 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)					(\$) 110

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SUBMITTED BY

Name (Print/Type)		Registration No. Attorney/Agent		Telephone	
Kathleen W. Geiger		35,880		(302) 984-6075	
Signature		Date		August 22, 2002	

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.